J Nugent MRTPI FCMI
SHEN
7th May 2024
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Dear Sir / Madam,

NON MATERIAL AMENDMENT - CONDITION 20 - PLANNING PERMISSION P/2015/0337
BERSHAM BANK COLLIERY TIP, PLAS GRONO ROAD, RHOSTYLLEN, WREXHAM LL14 4EG

1.0 INTRODUCTION

1.1 SHEN is instructed by the Applicant (Bersham (Glenside) Ltd) to submit a planning application for a Non-Material Amendment (NMA) to planning permission P/2015/0337.

1.2 The NMA relates to a selected planning condition (No.20) and delivers consistency with other related and existing conditions in the planning permission.

2.0 CONDITION 20 - LANDSCAPE AND ECOLOGICAL AFTERCARE MANAGEMENT PLAN

2.1 Currently, Condition 20 is a pre-commencement condition requiring the submission and approval of a Landscape and Ecological Aftercare Management Plan.

2.2 The need to amend Condition 20 relates to the consistency of Condition 18 (restoration plan) with Condition 20 (aftercare management plan). Condition 18 is a compliance condition timed by the exportation of materials from the site. Whereas Condition 20 is a pre-commencement condition.

2.3 It is premature and unachievable to submit an aftercare management plan before the submission and approval of a restoration plan. The amendment to the timing of Condition 20 aligns it with Condition 18.

2.4 The proposed NMA to Condition 20 is as follows:
No materials shall be removed from the site before a Landscape and Ecological Aftercare Management Plan has been submitted to and approved in writing by the Mineral Planning Authority. The plan shall include management of existing landscape features, the establishment, maintenance and management of all new planting, ecological habitats and recreational spaces, and a management timetable and shall cover a 5 year period of aftercare. Works shall be carried out strictly in accordance with the details as approved and shall be retained thereafter.

If you have any queries, please do not hesitate to contact me using the details provided.

Kind regards,
Joe Nugent MRTPI FCMI